

REMARKS

This responds to the Office Action mailed on December 7, 2004. No claims are amended, canceled, or added; as a result, claims 1-23 are now pending in this application.

Double Patenting Rejection

Claims 10-17 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-61 of co-pending Application No. 10/177,082.

Applicant does not admit that claims are obvious in view of Application No. 10/177,082. However, a Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) is enclosed herewith to obviate these rejections.

Allowable Subject Matter

Claims 1-9 and 18-23 were allowed. Applicant acknowledges and thanks the Examiner for the indication of allowance for these claims.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6944 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.


Respectfully submitted,

LEONARD FORBES

By his Representatives,

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Date 2-1-05

By 

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of February, 2005.

KACIA LEE

Name

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Signature